

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS,
DALLAS DIVISION

JOE M. FULBRIGHT,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No: 3:20-cv-02392-BK
	§	
UNION PACIFIC RAILROAD COMPANY,	§	
	§	
Defendant.	§	

PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO STRIKE

A party has the right to respond to evidentiary objections, and some district courts even address the current situation in their local rules. *See, e.g.* E.D. Tenn. Local Rule 56.1(e) (allowing the non-moving party to respond to objections first raised in the movant's reply brief). This Court does not have a comparable provision, but that does not mean the non-moving party is barred from responding to objections first raised in a reply brief. Plaintiff's Response to the evidentiary objections is not a surreply, and there is therefore no basis for the motion to strike.

WHEREFORE, Plaintiff requests an order denying Doc. 114, Defendant's Motion to Strike.

Respectfully submitted,

/s/ Donald E. Uloth
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CERTIFICATE OF SERVICE

On November 10, 2021, I served a copy of this document to Heather M. Miller, counsel for Defendant, by email to hmill@constangy.com, and to Robert L. Ortvals, Jr., counsel for Defendant, by email to rortvals@constangy.com.

/s/ Donald E. Uloth
Donald E. Uloth